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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 112843-041	
In Re Application Of: Bruessow et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/049,368	May 9, 2002	D. Ware	24573	1651	1115
Title: BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA					
<div style="display: flex; justify-content: space-between; align-items: center;"><div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center;">O I P E OCT 26 2004 PATENT & TRADEMARK OFFICE</div><div style="text-align: center;"><p>Address to:</p><p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p><p>37 CFR 1.97(b)</p><p>1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p><p style="text-align: center;">37 CFR 1.97(c)</p><p>2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p><div style="margin-left: 40px;"><p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p><p style="text-align: center;">OR</p><p><input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p></div></div></div>					

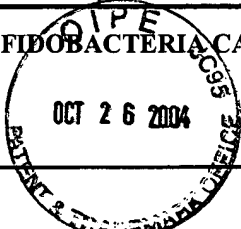
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
112843-041

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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/049,368	May 9, 2002	D. Ware	24573	1651	1115

Title: **BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA**



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

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Certificate of Transmission by Facsimile*

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10/20/2004

(Date)


Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Certificate

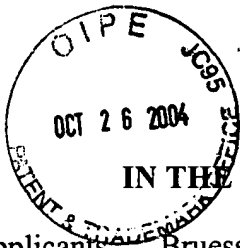
***This certificate may only be used if paying by deposit account.**

Dated: **October 20, 2004**

Signature

Robert M. Barrett, Reg. No. 30,142
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, IL 60690-1135
(312) 807-4204

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruessow et al.
Appl. No.: 10/049,368
Conf. No.: 1115
Filed: May 9, 2002
Title: BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA
Art Unit: 1651
Examiner: Ware, Deborah K.
Docket No.: 112843-041

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which are enclosed, be made during the course of examination of the above-identified application for United States patent.

FOREIGN PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
EP 0577903 B1	December 17, 1997	EPO
WO 97/00078	June 12, 1996	PCT

OTHER DOCUMENTS

B.J.B. Wood and W.H. Holzapfel, "*The Genus Bifidobacterium*": "Genera of Lactic Acid Bacteria", Blackie A&P, pp. 279-306 (1995).

10/27/2004 FFANAI2 00000035 10049368

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180.00 DP

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Robert M. Barrett
Reg. No. 30,142
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4204

Dated: October 20, 2004

